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Google Inc.

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

KINDERSTART.COM, LLC, a California  
limited liability company, on behalf of itself and  
all others similarly situated,

Plaintiffs,

v.

GOOGLE INC., a Delaware corporation,

Defendant.

CASE NO.: C 06-2057 JF (RS)

**DECLARATION OF MATTHEW  
CUTTS IN SUPPORT OF  
GOOGLE'S SPECIAL MOTION TO  
STRIKE**

Before: Hon. Jeremy Fogel  
Date: October 27, 2006  
Time: 9:00 a.m.  
Courtroom: 3

1 I, Matthew Cutts, declare as follows:

2 1. I am a Senior Staff Software Engineer at defendant Google, Inc. ("Google"),  
3 where I have been employed for several years. As part of my duties at Google, I regularly post  
4 publicly available explanations of Google's policies and procedures in connection with the  
5 operation of Google's search engine, and I am familiar with those policies. I am over the age of  
6 eighteen and competent to make this declaration. I make each of the following statements based  
7 on my personal knowledge, and I could, if necessary, testify to the truth of each of them.

8 2. Google's highly popular Internet search engine is at the center of Google's  
9 corporate mission to organize the world's information. Through its search engine, Google  
10 supplies millions of Internet users with recommendations on websites that in Google's view will  
11 be of interest to them given their particular search query. Given the enormity of the World Wide  
12 Web, Google relies heavily on automated processes to generate its database (or "index") of  
13 websites, and to select from that index those sites it believes to be most relevant for a given  
14 query.

15 3. When someone attempts to subvert how a search engine ranks the relevance of  
16 documents, that practice is called "webspam" in the search industry. Webspam strikes at the  
17 heart of one of Google's advantages: the quality (i.e. relevance) of our search results for users. If  
18 Google's quality suffers, competing search engines are only a few keystrokes away.  
19 Accordingly, Google considers webspam to be extremely serious and highly objectionable. As it  
20 explains in detail in quality guidelines on its site, when Google believes a site is engaged in or is  
21 supporting webspam, Google may remove the site from its index and search results (or take other  
22 actions including lowering its assessed value) to prevent the webspam from corrupting Google's  
23 search results with pages that Google's users will not find relevant.

24 4. Google uses over 100 different factors in assessing the relevance of a particular  
25 web page to a user's query. One important component in selecting which web pages to  
26 recommend is a page's "reputation." Google assesses a page's reputation in many ways,  
27 including the use of algorithms to understand the quality and quantity of other sites linking to  
28 (and thus seemingly recommending) the page. Unfortunately, because search engines use links

1 to help assess reputation, unscrupulous site operators often engage in web or link spamming,  
2 attempting to gather as many illegitimate links as possible from all over the web. Some  
3 operators pay sites to link to them, while others generate automated messages in locations all  
4 over the web containing links to their sites. Google has made clear publicly that it is a violation  
5 of Google's quality guidelines to participate in link schemes designed to increase rankings of  
6 sites, and that specifically includes hosting links to sites that appear to be gaming Google's  
7 search results processes.

8         5. When a site is linking to multiple low-quality sites, or is hosting links to suspect  
9 or "spammy" sites having nothing to do with the subject matter of its own, the original site is  
10 itself highly suspect, and may run afoul of Google's quality guidelines. One reason why that is  
11 so, is that if a site does not care to police its outbound links to promote a good user experience, it  
12 is also not likely to care very much about the content on its site.

13         6. Google's analysis of "webspam" links is affected by at least two elements: how  
14 long the links remain, and how many links there are to "spammy", off-topic sites. The more such  
15 links there are, and the longer they stay up on a site, the more objectionable the linking is to  
16 Google. So, for example, when a site like KinderStart, ostensibly directed to young children or  
17 parents of young children, hosts hundreds of links to hardcore pornography sites for months at a  
18 time, that is a strong indicator that the KinderStart site is either not well-maintained, or that the  
19 site is "selling out" and hosting links to these other sites in an effort to game Google's search  
20 engine. Either way, it is a serious strike against the reputation of a site.

21         7. Attached hereto as Exhibit A is a printout of the screen and HTML code  
22 comprising just one page from KinderStart's web site as it existed on or about March 25, 2005  
23 (which I understand is approximately the date on which KinderStart contends its site was  
24 removed from Google's index and search results). The page existed on the World Wide Web at:  
25 [http://www.kinderstart.com/phpBB/bb\\_memberlist.php?&start=1050&sortby=](http://www.kinderstart.com/phpBB/bb_memberlist.php?&start=1050&sortby=)  
26 While the page is no longer present on the KinderStart site, the page was automatically archived  
27 on March 25, 2005 by the non-profit operation, archive.org, and thus may still be found at:  
28

[http://web.archive.org/web/20050325203024/www.kinderstart.com/phpBB/bb\\_memberlist.php?&start=1050&sortby=](http://web.archive.org/web/20050325203024/www.kinderstart.com/phpBB/bb_memberlist.php?&start=1050&sortby=)

As the page shows, KinderStart hosted a directory of “members” who joined KinderStart on dates starting in September and October 2004. The page further shows that “members” were permitted to supply a link to a home page for themselves which appeared as a picture of a home in the column marked “URL.” Examining the HTML code comprising the page, or “mousing over” the pictures of the homes shows that clicking on the picture of the homes would take users to such sites such as: firstincest.pervertedtaboo.com, 1adult-sex.com, xxxfree.sexjur.com and numerous other, highly pornographic sites. I have caused the links to these sites as they appear in the HTML code comprising the page to be highlighted. Moreover on the page, there are multiple “members” setting the same pornographic sites as their homepages, creating multiple links to those sites. I have investigated several of the links in question and can confirm that they led to sites highly objectionable or pornographic content.

8. The page attached as Exhibit A is merely an example of the spammy links that KinderStart hosted in March 2005. Archive.org still hosts numerous pages from the KinderStart site which consist almost exclusively of webspam links to similar, highly pornographic web sites. As these pages show, the webspam links were added at least as far back as July 2003, and allowed to remain on the KinderStart site for months or years:

[http://web.archive.org/web/20050325222733/http://www.kinderstart.com/phpBB/bb\\_memberlist.php?&start=300&sortby=](http://web.archive.org/web/20050325222733/http://www.kinderstart.com/phpBB/bb_memberlist.php?&start=300&sortby=)

[http://web.archive.org/web/20050325202228/www.kinderstart.com/phpBB/bb\\_memberlist.php?&start=1000&sortby=](http://web.archive.org/web/20050325202228/www.kinderstart.com/phpBB/bb_memberlist.php?&start=1000&sortby=)

[http://web.archive.org/web/20050325204156/www.kinderstart.com/phpBB/bb\\_memberlist.php?&start=1100&sortby=](http://web.archive.org/web/20050325204156/www.kinderstart.com/phpBB/bb_memberlist.php?&start=1100&sortby=)

[http://web.archive.org/web/20050325204337/www.kinderstart.com/phpBB/bb\\_memberlist.php?&start=1150&sortby=](http://web.archive.org/web/20050325204337/www.kinderstart.com/phpBB/bb_memberlist.php?&start=1150&sortby=)

[http://web.archive.org/web/20050325205156/www.kinderstart.com/phpBB/bb\\_memberlist.php?&start=1200&sortby=](http://web.archive.org/web/20050325205156/www.kinderstart.com/phpBB/bb_memberlist.php?&start=1200&sortby=)

While a complete count of the number of these illegitimate links could take days, the total number is easily into the hundreds. So, for an extended period leading up to its exclusion from

1 Google's search results, KinderStart hosted hundreds of illegitimate and duplicative links to  
2 hardcore pornography sites.

3 9. To be clear, Google's objection for purposes of its anti-webspamming operations,  
4 is not to the content of the sites to which KinderStart links (although individuals may certainly  
5 have such objections). Google's problem would be the same if the links flooding KinderStart's  
6 site were related to diet pills sites (which also were highly prevalent on KinderStart's site based  
7 on my review of pages within archive.org) or sites promoting debt consolidation. Google's issue  
8 is that the links are to sites that are attempting to game Google's search engine processes and that  
9 the site hosting those links is complicit in such efforts either because it is receiving consideration  
10 for hosting the links, or does not care to police the links from its site. In such situations, as  
11 Google makes abundantly clear, to preserve the integrity of its search results, Google may  
12 remove sites hosting these links from its index or take steps to reduce the deleterious impact they  
13 have on Google and its users. When it does so, it is acting to restrict access to content it  
14 believes is objectionable and content that it believes its users would find objectionable.

15 I declare under penalty of perjury under the laws of the United States that the foregoing is  
16 true and correct to the best of my knowledge.

17 Executed on September 22, 2006 at Mountain View, California.  
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19

20 By: /s/ Matthew Cutts  
21 Matthew Cutts  
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